

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CURATED WORKS INC., d/b/a CURATED,

Plaintiff,

vs.

DEAL.COM, INC. a/k/a DEAL.COM GLOBAL,
INC. d/b/a CURATED.COM,

Defendant.

Civil Action No. 1:19-cv-11509-
LAK-GWG

**DEFENDANT DEAL.COM, INC., D/B/A CURATED.COM'S NOTICE OF MOTION
TO DISMISS THIRD CAUSE OF ACTION IN PLAINTIFF'S COMPLAINT**

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law in Support of Defendant Deal.com, Inc., d/b/a Curated.com's Motion to Dismiss Third Cause of Action in Plaintiff's Complaint, Defendant Deal.com, Inc., d/b/a Curated.com, by and through its attorneys, Lathrop GPM LLP, moves this Court, before the Honorable Lewis A. Kaplan, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and time to be set by the Court, for an Order dismissing with prejudice the third cause of action in Plaintiff's Complaint in the above-referenced action pursuant to Federal Rule of Civil Procedure Rule 12(b)(6), and for such further relief as the Court may deem just and proper.

Signature block on following page

Dated: January 30, 2020

Respectfully submitted,

/s/ Erica J. Van Loon

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CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2020, I filed and therefore caused the foregoing Defendant Deal.Com, Inc., d/b/a Curated.com's Notice of Motion to Dismiss Third Cause of Action in Plaintiff's Complaint to be served via CM/ECF in the United States District Court for the Southern District of New York on all parties registered for CM/ECF in the above-captioned matter.

/s/ Erica J. Van Loon

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